

## **CONTINUATION OF CRIMINAL COMPLAINT**

Special Agent (SA) Mark W. Hoff, Federal Bureau of Investigation (FBI), having been duly sworn, deposes and states the following:

1. I am a Special Agent with the Federal Bureau of Investigation, United States Department of Justice. I am assigned to the FBI's Detroit Field Office, Marquette Resident Agency. I became a FBI SA in March 2009.
2. The information in this affidavit is based upon my personal investigation, investigation by another FBI agent, the Lac Vieux Desert (LVD) Tribal Police, and the Lac Vieux Desert Tribal Prosecutor. This affidavit does not set forth all matters discovered during the course of this investigation.
3. I am seeking a criminal complaint charging David King Baldwin with assault with a dangerous weapon, in violation of 18 U.S.C. §§ 113(a)(3), 1151 and 1153. I respectfully submit that the facts set forth below establish probable cause to believe that, on or about August 12, 2016, in Gogebic County, in Indian Country, on lands located within the exterior boundaries of the Lac Vieux Desert Band of Lake Superior Chippewa Indians (LVD), in the Northern Division of the Western District of Michigan, David K. Baldwin (hereafter "BALDWIN"), an Indian, assaulted A.J.J., an Indian male, with a dangerous weapon, in violation of 18 U.S.C. § 113(a)(3).
4. The location of the incident, E23905 Transfer Station Road, Unit 2, Watersmeet, MI, is within the exterior boundaries of the LVD reservation. Accordingly, this location is within "Indian Country" as that phrase is defined in 18 U.S.C. § 1151. I also know, based on my conversations with the law enforcement officers involved in this investigation that BALDWIN is an Indian and A.J.J. is an Indian.
5. In an interview conducted by the Federal Bureau of Investigation, A.J.J. said that on the day in question, J.P.B., a female Indian, arrived at his residence, E23905 Transfer Station Road, Unit 2, Watersmeet, Michigan (hereinafter "Unit 2"), approximately five minutes before BALDWIN banged on his door. A.J.J. opened the door and BALDWIN struck him in the face. A.J.J. tried to defend himself. BALDWIN then hit A.J.J. on the side of the head with a glass candle jar, which had been atop the kitchen table. BALDWIN next picked up a kitchen chair and hit A.J.J. with it, striking him upon his arms as he tried to fend off the blows. A.J.J. left his residence and went to the Lac Vieux Desert Tribal Police Department to report the incident. According to LVD Police logs, A.J.J. arrived at the department at approximately 3:13 AM.
6. At approximately 3:15AM, officers responded to Unit 2. The officers found BALDWIN and J.P.B. outside the apartment building. BALDWIN and J.P.B. were laying in the yard of the building, seemingly unconscious. BALDWIN had what appeared to be blood on the upper right portion of his shorts, as well as his gray t-shirt and legs. BALDWIN woke up and asked officers "what's going on?" and "where am I?" Officers placed BALDWIN in handcuffs.
7. While officers were at Unit 2, A.J.J. returned and told LVD Officer Graser that BALDWIN had attempted to punch him, and had struck him with a chair. A.J.J. invited Officer Graser into the residence, and showed him the chair, which was broken. Additionally, A.J.J. said that BALDWIN also struck him with a glass candle jar. A.J.J. had a large lump on each of his forearms, a scratch on the left side of his neck, and a reddened cheek. Officer Graser saw broken glass on the counter top and a candle on its side.
8. On August 13, 2016, A.J.J. sought medical treatment at the Ministry Eagle River Memorial Hospital for an arm injury. According to the treatment records, A.J.J. suffered blunt trauma to the

right forearm and had a deep tissue contusion. In the doctor's addendum, it was noted that the patient reportedly sustained the injury during an altercation with another person. The patient stated the person was trying to hit him over the head with the folding chair and he defended himself with his hands/arms.

9. Based on the above, I respectfully submit that there exists probable cause to believe that, on or about August 12, 2016, in Gogebic County, in Indian Country, on lands located within the exterior boundaries of the Lac Vieux Desert Band of Lake Superior Chippewa Indians reservation, in the Northern Division of the Western District of Michigan, BALDWIN, an Indian, assaulted A.J.J. with a dangerous weapon with the intent to do bodily harm in violation of 18 U.S.C. §§ 113(a)(3), 1151, and 1153.